

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

CONNECTU LLC,

Plaintiff,

v.

MARK ZUCKERBERG, EDUARDO SAVERIN,  
DUSTIN MOSKOVITZ, ANDREW MCCOLLUM,  
CHRISTOPHER HUGHES, FACEBOOK, INC.,

Defendants.

MARK ZUCKERBERG and  
FACEBOOK, INC.,

Counterclaimants,

v.

CONNECTU LLC,

Counterdefendant,

and

CAMERON WINKLEVOSS, TYLER  
WINKLEVOSS, and DIVYA NARENDRA,

Additional Counterdefendants.

Civil Action No. 1:04-cv-11923 (DPW)

District Judge Douglas P. Woodlock

Magistrate Judge Robert B. Collings

**DECLARATION OF MEREDITH H. SCHOENFELD IN SUPPORT OF PLAINTIFF'S  
BRIEF IN OPPOSITION TO DEFENDANTS' MOTION TO DISMISS**

I, Meredith H. Schoenfeld, declare as follows:

I am an attorney with the law firm of Finnegan, Henderson, Farabow, Garrett & Dunner, LLP, counsel for Plaintiff ConnectU LLC and Counterdefendants Cameron Winklevoss, Tyler Winklevoss, and Divya Narendra ("collectively ConnectU"). I make this Declaration in support of Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss. I am an active member in good standing of the Bars of the State of California and the District of Columbia. I have personal knowledge of the facts stated therein and if called as a witness, could and would competently testify thereto.

1. Exhibit 1 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of excerpts from the August 9, 2005 deposition transcript of Cameron H. Winklevoss.
2. Exhibit 2 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of the Limited Liability Company Operating Agreement of ConnectU, LLC, bearing bates numbers C011285-C011332.
3. Exhibit 3 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Mark Zuckerberg to Divya Narendra on November 22, 2003, bearing bates numbers C004640-C004641.
4. Exhibit 4 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of emails between Mark Zuckerberg and Cameron Winklevoss between November 25, 2003 and January 14, 2004, bearing bates numbers C004577, C004579, C004582-C004583, C004588-C004590, C004592, C004597, C004601, C004604, C004607, C004617, C004619, and C004621.
5. Exhibit 5 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of emails between Mark Zuckerberg and Cameron Winklevoss on November 29 and 30, 2003, bearing bates numbers C004588-C004589.
6. Exhibit 6 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Mark Zuckerberg to Cameron Winklevoss on December 1, 2003, bearing bates number C004590.
7. Exhibit 7 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is true and correct copy of an email from Mark Zuckerberg to Cameron Winklevoss on January 8, 2004, bearing bates number C004617.

8. Exhibit 8 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Mark Zuckerberg to Cameron Winklevoss on January 14, 2004, bearing bates number C004625.
9. Exhibit 9 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of the WHOIS Search Results printed from the Internet website of networksolutions.com for thefacebook.com on June 11, 2004.
10. Exhibit 10 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Mark Zuckerberg to Cameron Winklevoss on January 14, 2004, bearing bates number C004621.
11. Exhibit 11 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an October 23, 2005 article from The San Francisco Chronicle entitled "Online networking clicks among friends; And investors sense profits from Web sites linking people."
12. Exhibit 12 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a May 4, 2005 entry from the blog Software Only, available at [http://blog.softtechvc.com/2005/05/thefacebook\\_stu.html](http://blog.softtechvc.com/2005/05/thefacebook_stu.html).
13. Exhibit 13 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a September 27, 2005 article from the Stanford Daily Online Edition entitled "Facebook attracts students."
14. Exhibit 14 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a May 26, 2005 article from The New York Times online entitled "Small Business; Student's Start-Up Draws Attention and \$13 Million."

15. Exhibit 15 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a September 2, 2006 article from SiliconBeat online, entitled "Facebook gets in MySpace's face: targets high schools."
16. Exhibit 16 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Cameron Winklevoss to Mark Zuckerberg on February 10, 2004, bearing bates number C004628.
17. Exhibit 17 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a February 24, 2005 article from The Harvard Crimson Online Magazine entitled "How they Got Here."
18. Exhibit 18 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of an email from Mark Zuckerberg to Cameron Winklevoss on February 12, 2004, bearing bates number C004630.
19. Exhibit 19 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a June 10, 2004 article from The Harvard Crimson Online entitled "Mark E. Zuckerberg '06: The whiz behind thefacebook.com."
20. Exhibit 20 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of a May 7, 2004 article from the Chicago Maroon Online Edition entitled "Social website draws heavy traffic," bearing bates numbers C005808-C005810.
21. Exhibit 21 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of the Certificate of Incorporation of "TheFacebook, Inc.," filed in Delaware on July 29, 2004, bearing bates numbers TFB000058-TFB000061.

22. Exhibit 22 to Plaintiff's Brief in Opposition to Defendants' Motion to Dismiss is a true and correct copy of the Certificate of Registration of Harvard Connection Code with the U.S. Copyright Office on October 15, 2004, bearing the bates numbers C004842-C004846.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. This Declaration is executed on the 19th day of January 2007.

/s/ Meredith H. Schoenfeld  
Meredith H. Schoenfeld

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non-registered participants on January 19, 2007.

/s/ John F. Hornick  
John F. Hornick